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May 27, 2022

**VIA ECF**

Hon. Paul G. Gardephe, U.S.D.J.  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2204  
New York, New York 10007

**Re: Everytown for Gun Safety Action Fund, Inc. v. Defcad, Inc., No. 21-cv-8704 (PGG)**

**DEFENDANTS' EMERGENCY LETTER MOTION FOR STAY PENDING APPEAL**

Dear Judge Gardephe:

We represent defendants Defcad, Inc., Phillip Royster, Defcad User xYeezySZN, Odysee User xYeezySZN, The Gatalog, Defcad User Freeman1337, and Twitter User xYeezySZN.

Defendants hereby move on an emergency basis for a stay pending appeal of the orders dated May 23, 2022 and May 26, 2022 at ECF Nos. 93, 96, and 97.

Thank you for your attention in this regard.

Respectfully submitted,

/s/ Daniel L. Schmutter  
DANIEL L. SCHMUTTER

DLS/ar  
cc: Marcella Ballard, Esq. (via ECF)

**MEMO ENDORSED**

*The application is denied.*

**SO ORDERED:**

*Paul G. Gardephe*  
**Paul G. Gardephe, U.S.D.J.**

Dated: May 31, 2022